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OGC Has Reviewed

16 JAN 1969

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MEMORANDUM FOR: [REDACTED], Associate General Counsel

SUBJECT : Home Leave and Overseas Travel Rights

1. The Office of Personnel would appreciate your response to the following questions which have arisen within this Office.

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2. Is there authority for the provision in [REDACTED] that home leave may be granted upon each subsequent substantial period of service outside the United States which shall not be less than the prescribed tour of duty for the employee's post of duty unless the Director of Personnel determines that an earlier grant is warranted in an individual case? (P. L. 86-707 and CSC implementing regulations, FPM Suppl. 990-2, Ch 56-7, both specify 24 months.)

3. In consonance with P. L. 86-707, [REDACTED] states that the basic service period for home leave is completion of 24 months continuous creditable service outside the U. S. after 6 September 1960. It also

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[REDACTED]
the computation of the basic service period for those employees returning to the United States after 6 September 1960.

(1) In view of the above citations, can service [REDACTED] earned prior to 6 September 1960 be applied towards satisfaction of the statutory requirement for 24 months service after 6 September 1960?

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(2) Can an [REDACTED] (with or without home leave and of whatever duration) be construed as his initial tour overseas within the meaning of [REDACTED], which permits subsequent tours to be of shorter duration than 24 months? (This question presupposes that question 1 above is answered affirmatively.)

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4. Is a second or subsequent overseas tour after home leave but no intervening PCS in the United States legally a continuation of the period of overseas service for the purpose of determining overseas travel rights? (As you are aware, an employee transferred overseas from the U. S. is subject to the terms of a service agreement in order to receive travel to and from overseas. If the answer to the above question is yes, an employee returning overseas for a second tour without an intervening PCS in the United States could quit anytime while overseas and receive travel at Government expense, without regard to any minimal service requirement on his second or subsequent tour. This would create a distinction between travel rights resulting from U. S. and lateral transfers and also between return travel and home leave travel requirements.)

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[REDACTED]
Deputy Chief, Plans & Analysis Division
Office of Personnel

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